GOVERNMENT OF INDIA
POWER
LOK SABHA

UNSTARRED QUESTION NO:3746
ANSWERED ON:16.08.2001
CONTROVERSY IN BIHAR AND JHARKHAND
MOHAMMED SHAHABUDDIN;RAGHUVANSH PRASAD SINGH;RAM PRASAD SINGH

Will the Minister of POWER be pleased to state:

(a) whether any controversy has been created by the Government of Jharkhand over the power plant Tenughat Vidyut Nigam Limited;

(b) if so, whether the Government of Bihar has threatened to take up this issue in a court of law;

(c) whether the Union Government have not taken timely action for settlement of this dispute within a year;

(d) if so, the reasons therefor; and

(e) the action Government propose to take to settle this dispute between the two States?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA)

(a) & (b) : As per provisions of Section 47(1) of the Bihar Reorganisation Act, 2000,the assets and liabilities relating to any commercial or industrial undertakings of the existing State of Bihar shall pass to the State in which the undertaking is located. Jharkhand Government has issued a notification dated 27.2.2001 taking over the Tenughat Vidyut Nigam Ltd. A Public Interest Litigation (PIL) was filed against theUnion of India and Others in the Patna High Court for quashing the notification dated27.2.2001 issued by the Government of Jharkhand, whereby Tenughat Vidyut Nigam Ltd. was notified as an undertaking of the State of Jharkhand. However, the High Court in its judgment dated 27.6.2001 has dismissed the PIL.

(c) to (e) : Government of India in exercise of the power conferred upon it by clause (a) of sub section (4) of Section 62 of the Bihar Reorganisation Act, 2000 has notified an order on 22nd March, 2001 for provisional allocation of assets, liabilities, rights and undertaking of the undivided Board of erstwhile State of Bihar to successor State Electricity Boards of Bihar and Jharkhand with effect from 1.4.2001.